



Cira Centre
2929 Arch Street
Philadelphia, PA 19104-2808
+1 215 994 4000 Main
+1 215 994 2222 Fax
www.dechert.com

JOSEPH A. TATE

joseph.tate@dechert.com
+1 215 994 2350 Direct
+1 215 655 2350 Fax

June 10, 2013

VIA HAND-DELIVERY

The Hon. Paul S. Diamond
United States District Court, Eastern District of Pennsylvania
U.S. Courthouse
601 Market Street, Room 6613
Philadelphia, PA 19106-1714

Re: *The Abi Jaoudi and Azar Trading Corp. v. Cigna Worldwide Insurance Co.*,
No. 91-6785

Dear Judge Diamond:

We write on behalf of Respondents James Little and the Echemus entities, in our continuing effort to find an expeditious and rational way to resolve this litigation.

For more than a year, Respondents James Little and the Echemus entities, have sought to engage Cigna and its related companies in discussions to find a way to resolve this claim now, in an attempt to forestall this expensive litigation and the use of valuable judicial resources. Those efforts have been fruitless and have met with disdain by Cigna and its counsel. Despite the parties' factual and legal disagreements, both sides acknowledge that Echemus and Little played, at most, a relatively limited role compared to others involved in the events giving rise to the Cigna claims. Most importantly, we believe the amount of the Cigna claims against Mr. Little and Echemus are far less than the continuing costs of this litigation.

By letter dated May 8, 2013, without prejudice to our ongoing defense based on lack of personal jurisdiction, we asked the Court to assign this matter to mediation. Counsel for Cigna immediately opposed our request, calling it "peculiar." By Order dated May 13, 2013, the Court denied our request, without prejudice, on the grounds that Cigna is not interested in mediation and you would not order a party to pay for a private mediation if they were not interested. Your order appeared to leave open the possibility that, despite Cigna's refusal, you might order a judicial mediation, that is, conducted by yourself or Magistrate Judge Timothy K. Rice. We surely would support that option.



The Hon. Paul S. Diamond
June 10, 2013
Page 2

Alternatively, in a further attempt to untie this "Gordian" knot, we respectfully request (again without prejudice to our ongoing personal jurisdiction objection) a settlement conference with Your Honor or Magistrate Judge Rice to explore ways and means to craft a reasonable resolution to this litigation in an attempt to conserve the Court's valuable time and energy and the parties' energy and resources.

Respectfully submitted,

A handwritten signature in black ink that reads "Joseph A. Tate". The signature is written in a cursive, flowing style with a long horizontal stroke extending from the end.

Joseph A. Tate

*Counsel for Non-Party Respondents Echemus
Group, L.P., Echemus Investment Management
Ltd., EF (USA) LLC, and James Little*

cc: Counsel of Record (by electronic mail)